

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WOODVEN THOMAS,

Petitioner,

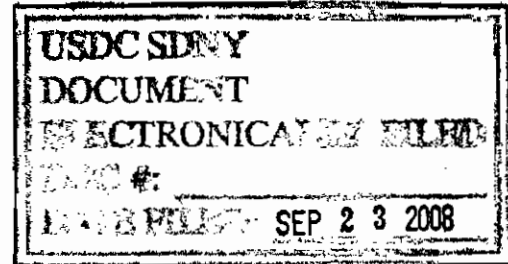
-v-

No. 05 Civ. 5828 (LTS)(DF)

ELIOT SPITZER, ATTORNEY GENERAL FOR
THE STATE OF NEW YORK,

Respondent.

LAURA TAYLOR SWAIN, United States District Judge



ORDER ADOPTING REPORT & RECOMMENDATION

The Court has reviewed Magistrate Judge Freeman's August 4, 2008, Report and Recommendation (the "Report"), which recommends that petitioner Woodven Thomas' request for an order staying his deportation to Haiti be denied. No objections to the Report have been received.


In reviewing a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C.A. § 636(b)(1)(C) (West 2006). "In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Johnson v. New York University School of Education, No. 00 Civ. 8117, at *1, 2003 WL 21433443 (S.D.N.Y. June 16, 2003).

The Court has reviewed carefully Magistrate Judge Freeman's thorough Report and Recommendation and finds no clear error. The Court therefore adopts the Report in its

entirety for the reasons stated therein. Accordingly, the request for stay of deportation is denied. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438, 444 (1962).

SO ORDERED.

Dated: New York, New York
September 23, 2008



LAURA TAYLOR SWAIN
United States District Judge